

REMARKS

This is a second supplemental response to the Office Action dated March 8, 2006. Claims 60-65, 67-76, 94-106 and 124-133 are pending in the application. No claim stands allowed. Claims 134-216 are new claims.

These remarks confirm the substance of an interview on October 17, 2006 attended by the Examiner and attorney of record Charles Garvey. There are three independent claims in the case, namely claim numbers 60, 134 and new claim 146. Each of the three independent claims were discussed with proposed changes in draft form during the interview. The new dependent claims 147, 148 are directed to a review by the underwriter enabling the underwriter to improve the loss ratio of the book of insurance. The other new dependent claims 149-166 are similar to claims already in the case that depend from either claim 60 or claim 134. These new dependent claims 149-166 depend from new independent claim 146.

Each of the previously presented independent claims 60 and 134 was amended to state that the method is for enabling an underwriter to improve the loss ratio of an existing book of insurance. During the October 17th interview, it was pointed out to the Examiner that the addition of "existing" before book of insurance and also before insured entities was to differentiate the Kern reference. Kern relates to a method of pricing a not yet issued policy. Kern does not input survey data from a survey of existing insureds as claimed. Kern does not perform the computer comparison as claimed (i.e., claim 60(f), 134(f), 146(e)). New claim 146 is also directed to a method of enabling an underwriter to improve the loss ratio of an existing book of insurance.

Each of the independent claims 60, 134, 146 requires a surveying of existing insured entities. In claims 60, 134 and 146 a computer is used to compare inputted survey data with a set of predefined underwriting criteria (see 60(f), 134(f), 146(e)).

In claims 60 and 134 the computer also compares the input survey data with policy information obtained from the insured entities and upon which binding of each policy was based (see 60(a), (b), (f) and 134(a), (b), (f)).

The claimed computer comparison quickly identifies each insured entity that does not

meet a predefined underwriting criteria (claim 60(f), claim 134(f), claim 146(e)).

The claimed computer comparison quickly identifies and flags each insured entity that provided policy information and wherein any disparity is found in the attempt to validate the policy information obtained (claims 60(f), 134(f)). The amendments to claims 60, 134 and the subject matter of new claim 146 were discussed in the interview. In addition to Kern, the other cited art of record was discussed.

In that regard, the Examiner also relies upon McMillan. McMillan does not disclose nor suggest method claims 60, 134 as amended. McMillan does not disclose nor suggest method claim 146. In McMillan, an automobile is fitted with a device that monitors operation of a vehicle (e.g. minutes/hours operated per day, use of seat belts, number of sudden braking situations, location of vehicle when parked, etc. (See col. 4, lines 28-67 and col. 5, lines 1-10 of McMillan)). McMillan does not survey existing insured entities with questions and then input responses to those questions nor does McMillan perform the claimed computer comparison step. Miller does not contemplate any of the method steps of claims 60, 134, 146. The Examiner also relies upon Greco, Walker and Peterson. Neither Greco, Walker nor Petersen survey existing insured entities with questions and then input responses to those questions into a computer. None of these references (McMillan, Greco, Walker, Peterson) performs the claimed computer comparison step of the amended claims 60, 134 and new claim 146 (see 60(f), 134(f), 146(e)).

The Peterson reference is not a survey nor an insurance product. The Peterson patent attempts to identify and rank employers who have a high number of employee injuries (see for example, column 2, lines 5-20 of Peterson).

Walker does not disclose an insurance product. Walker is designed to improve the results of a survey conducted remotely or unsupervised, such as over the internet. In Walker, the inventor is seeking to lessen the possibility of fraud when surveying remotely (see for example, the abstract of Walker).

Greco provides a rating system designed to fit a potential buyer into one of several slots for pricing purposes. It is submitted that Greco does not conduct the survey as claimed which requires a questioning of existing insureds, an inputting of that survey data to a computer, and

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a computer comparison of the input data with a predefined underwriting criteria as claimed. Applicants' claimed computer comparison also generates a report that identifies risk levels according to risk areas (for example, see claim 146) thus enabling the underwriter of the book of insurance to improve the loss ratio. These features are not disclosed nor suggested by Greco. For the same reasons that independent claims 60, 134 and 146 are submitted as patentable, it is submitted that all dependent claims are patentable.

In view of the amendments of the claims and arguments of counsel, applicant requests reexamination of the application and a Notice of Allowance.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, she is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Please charge any fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,

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